



PATENT  
Attorney Docket No. MEE-000

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Miller et al.  
SERIAL NO.: 09/780,142 GROUP NO.: 1644  
FILING DATE: February 9, 2001 EXAMINER: Phuong N. Huynh  
TITLE: Methods and Compositions for Treating Conditions of the Eye

Commissioner for Patents  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**

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180.00 GP

- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

#### STATEMENT

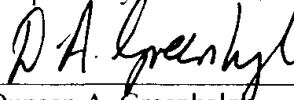
As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Date: April 18, 2003  
Reg. No. 38,678

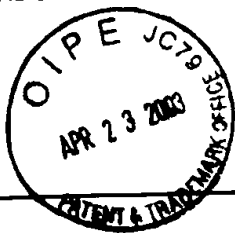
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Respectfully submitted,

  
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FORM PTO - 1449

## INFORMATION DISCLOSURE STATEMENT



ATTORNEY DOCKET NO.: MEE-002

APPLICANTS: Miller *et al.*

SERIAL NO.: 09/780,142

FILING DATE: February 9, 2001

EXAMINER: Huynh, P. GROUP: 1644

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## U.S. PATENT DOCUMENTS

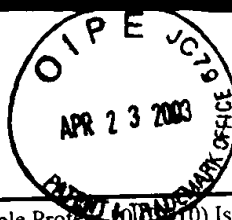
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	5,707,986	1/13/98	Miller et al.	514	185	
	A2	5,733,876	3/31/98	O'Reilly et al.	514	12	
	A3	5,798,349	8/25/98	Levy et al.	514	185	
	A4	5,854,205	12/29/98	O'Reilly et al.	512	2	
	A5	6,117,862	9/12/00	Margaron et al.	514	185	
	A6	6,180,402	1/30/01	Granville et al.	435	375	
	A7	6,225,303	5/1/01	Miller et al.	514	185	

## FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B1	WO 95 24930 A	09/21/95						
	B2	WO 97 33619 A	09/18/97						
	B3	WO 97 45450 A	12/04/97						
	B4	WO 98 25648 A	06/18/98						
	B5	WO 99 03503 A	01/28/99						
	B6	WO 00 51638	09/08/00						
	B7	WO 01 51087 A	07/19/01						

## OTHER ART, JOURNAL ARTICLES, ETC.

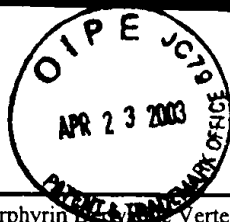
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)	
	C1	Adamis et al. "Inhibition of Vascular Endothelial Growth Factor Prevents Retinal Ischemia - Associated Iris Neovascularization in a Nonhuman Primate" (1996) <u>Arch Ophthalmol</u> , Vol. 114, pp: 66-71.
	C2	Ahmad et al "Photodynamic Therapy Results in Induction of WAF1/C1P1/P21 Leading to Cell Cycle Arrest and Apoptosis" (1998) <u>Proc. Natl. Acad. Sci. USA</u> , Vol. 95, pp: 6977 - 6982.
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	C4	Akhlynina et al. "Insulin-mediated Intracellular Targeting Enhances the Photodynamic Activity of Chlorin $e_6$ " (1995) <u>Cancer Research</u> , Vol 55, pp1014-1019.



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C15	Ciulla T A et al. "Changing Therapeutic Paradigms for Exudative Age-related Macular Degeneration: Antiangiogenic Agents and Photodynamic Therapy" (1999) <u>Expert Opinion on Investigational Drugs</u> , Ashley Publications LTD, Vol. 8, No. 12, pp: 2173-2182.
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C21	Ferrario et al. "Antiangiogenic Treatment Enhances Photodynamic Therapy Responsiveness in a Mouse Mammary Carcinoma" (2000) <u>Cancer Research</u> , Vol. 60, No. 15, pp: 4066-4069.
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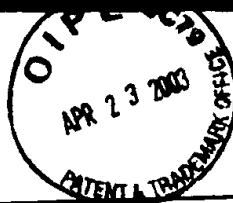
C25	Friedlander et al. "Involvement of Integrins $\alpha_v\beta_3$ and $\alpha_v\beta_5$ in Ocular Neovascular Diseases" (1996) <u>Pro. Natl. Acad. Sci. USA</u> , Vol. 93, pp. 9764-9769.
C26	Granville et al. "Overexpression of Bcl-X <sub>L</sub> Prevents Caspase-3-mediated Activation of DNA Fragmentation Factor (DFF) Produced by Treatment with the Photochemotherapeutic Agent BPD-MA" (1998) <u>FEBS Letters</u> , Vol. 422, pp: 151-154.
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C29	Guyer et al. "Subfoveal Choroidal Neovascular Membranes in Age-Related Macular Degeneration" (1986) <u>Arch Ophthalmol</u> , Vol. 104, pp: 702-705.
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C32	He et al. "Photodynamic Therapy with Photofrin II Induces Programmed Cell Death in Carcinoma Cell Lines" (1994) <u>Photochemistry and Photobiology</u> , Vol. 59, No. 4, pp: 468-473.
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C35	Hockenbery et al. "Bcl-2 Functions in an Antioxidant Pathway to Prevent Apoptosis" (1993) <u>Cell</u> , Vol. 75, pp 241-251.
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C45	Klein, B. and Klein, R. "Cataracts and Macular Degeneration in Older Americans" (1982) <u>Arch Ophthalmol</u> , Vol. 100, pp: 571-573.



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C51	Miller et al. "Alternative Treatments of Neovascular Age-Related Macular Degeneration" (1999) Chapter 139, pp 2014-2027.
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C54	Moser et al. "Angiostatin binds ATP Synthase on the Surface of Human Endothelial Cells" (1999) <u>Proc. Natl Acad. Sci USA</u> , Vol. 96, pp: 2811-2816.
C55	Mosmann, T. "Rapid Colorimetric Assay for Cellular Growth and Survival: Application to Proliferation and Cytotoxicity Assays" (1983) <u>Journal of Immunological Methods</u> , Vol. 65, pp: 55-63.
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C66	Pollack et al. "Repair of Retinal Pigment Epithelium and Choriocapillaries After Laser Photocoagulation: Correlations Between Scanning Electron, Transmission Electron and Light Microscopy" (1997) <u>Opthal. Res.</u> , Vol. 29, pp: 393-404.



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C69	Ryan "Subretinal Neovascularization: Natural History of an Experimental Model" (1982) <u>Arch Ophthalmol.</u> Vol. 100, pp: 1804-1809.
C70	Schmidt-Erfurth, U. et al. "Photodynamic therapy in Ocular Vascular Disease" (1998) <u>Laser Phys.</u> , Vol. 8, No. 1, pp: 191-198.
C71	Senior, K. "Ageing eyes retain their mystery." (1999) <u>The Lancet</u> Vol. 353, pp: 818.
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C73	Sharma A. et al. "Combination of Photodynamic Therapy and Angiogenic Therapy for the Treatment of Human Breast Cancer in Nude Athymic Myce" (1996) <u>Proceedings of the Annual Meeting of the American Association for Cancer Research, US, Philidelphia, AACR</u> , Vol. Meeting 87, pp: 291.
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C75	Tolentino et al. "Vascular Endothelial Growth Factor Is Sufficient to Produce Iris Neovascularization and Neovascular Glaucoma in a Nonhuman Primate" (1996) <u>Arch Ophthalmol.</u> Vol. 114, pp: 964-969.
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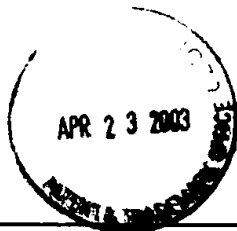
	C86	International Preliminary Examination Report for PCT/US01/04231 dated May 12, 2001 (5 pages).
EXAMINER		DATE CONSIDERED

225249





<b>FORM PTO - 1449</b>  <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>				ATTORNEY DOCKET NO.: MEE-002  APPLICANT(S): Miller et al.  SERIAL NO.: 09/780,142  FILING DATE: February 9, 2001      GROUP: 1644					
<b>U.S. PATENT DOCUMENTS</b>									
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
	A8	6,331,523	12/18/01	Kljavin et al.	514	12			
<b>FOREIGN PATENT DOCUMENTS</b>									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
<b>OTHER ART, JOURNAL ARTICLES, ETC.</b>									
EXAM. INIT.	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>								
	C87	Abels et al. "Targeting of the Tumor Microcirculation by Photodynamic Therapy with a Synthetic Porphycene" <u>J. Photochem. Photobiol. B.</u> (1997) 40(3): 305-12 Abstract.							
	C88	Binétruy-Tournaire et al. "Identification of a Peptide Blocking Vascular Endothelial Growth Factor (VEGF)-mediated Angiogenesis" <u>EMBO Journal</u> (2000) 19(7): 1525-1533.							
	C89	Brokx et al. "Designing Peptide-based Scaffolds as Drug Delivery Vehicles" <u>J. Control Release</u> (2002) 78(1-3): 115-23 Abstract.							
	C90	Clauss et al. "Vascular Permeability Factor: A Tumor-derived Polypeptide that Induces Endothelial Cell and Monocyte Procoagulant Activity, and Promotes Monocyte Migration" <u>J. Exp. Med.</u> (1990) 172: 1535-1545.							
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	C92	Gruber et al. "Angiogenic Factors Stimulate Mast-Cell Migration" <u>Blood</u> (1995) 86(7): 2488-2493.							
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	C94	Hackett et al. "Receptors for VEGF (flt-1 and flk-1) are Expressed in Nonvascular Cells in the Eye" <u>Invest. Ophthalm. &amp; Vis. Sci.</u> (1996) 37(3) Abstract.							
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<b>FORM PTO - 1449</b>		<b>ATTORNEY DOCKET NO.: MEE-002</b>	
<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>		<b>APPLICANT(S):</b> Miller et al.	
		<b>SERIAL NO.:</b> 09/780,142	
		<b>FILING DATE:</b> February 9, 2001 <b>GROUP:</b> 1644	
<b>OTHER ART, JOURNAL ARTICLES, ETC.</b>			
<b>EXAM. INIT.</b>	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>		
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FORM PTO - 1449		ATTORNEY DOCKET NO.: MEE-002	
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		APPLICANT(S): Miller et al.	
		SERIAL NO.: 09/780,142	
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OTHER ART, JOURNAL ARTICLES, ETC.			
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)		
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	C110	Shiah et al. "Antitumor Activity of <i>N</i> -(2-Hydroxypropyl)methacrylamide Copolymer-Mesochlorin e <sub>6</sub> and Adriamycin Conjugates in Combination Treatments <sup>1</sup> " <u>Clin. Cancer Research</u> (2000) 6: 1008-1015.	
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	C115	Terada et al. "Enhanced Photodynamic Therapy Using Angiostatin with Verteporfin PDT in a Laser-injury Rat Model" <u>Abstract to be presented at Association for Research in Vision and Ophthalmology 2003 Meeting.</u>	
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